

REMARKS

Claims 1-12 are pending; claim 12 is withdrawn; claims 1-3, 6, 10 and 11 are rejected; and claims 4, 5 and 7-9 are allowed in this application. Claim 12 is added hereby.

Responsive to the rejection of claims 1-3 and 10 under 35 U.S.C. § 102(b) as being anticipated by or in the alternative under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 1,599,376 (Smith), Applicants respectfully traverse the rejection and submit that claims 1-3 and 10 are in condition for allowance.

Smith discloses a machine for making fiber compositions including a carrier member 8 passing over two idling rollers 9 disposed beneath tank 4, over a pulley 10 disposed at the rear end of tank 4, over a submerged pulley 11, through a horizontal plane 12 disposed in proximity to bottom member 4, under a second submerged pulley 13, through an inclined plane 14, and is disposed in proximity to inclined side wall 5. Carrier member 8 continues over pulley 15, disposed at the front end of the machine (page 1, lines 54-63). The fibers are deposited upon belt 8, as indicated at 24 and are carried through horizontal plane 12 into inclined plane 14 (page 1, lines 102-105).

In contrast, claim 1 as amended, recites in part:

said top wire and said bottom wire being proximate to each other over a substantially vertical segment;

(Emphasis added). Applicants submit that such an invention is neither taught, disclosed nor suggested by Smith or any of the other cited references, alone or in combination, and includes distinct advantages thereover.

Smith discloses a machine for making fiber compositions including a carrier member that passes under a second submerged pulley through an inclined plane and is disposed proximate to an inclined side wall. The belt moves from a horizontal plane to an inclined plane. While Smith

does include two carrier members that are proximate to each other over an inclined segment, which does have a vertical component, the portion is parallel to an inclined tank surface and is not a vertical segment as can be seen in the figure and as explained in the text of Smith. It is significant that Smith describes belt 8 as being carried from horizontal plane 12 to inclined plane 14, in that Smith could have described inclined plane 14 to be a vertical plane to contrast it with horizontal plane 12. In contrast, Applicants' invention utilizes a substantially vertical segment with the two wires proximate to each other over that segment. Further, substantially vertical is understood to be approximately 90° from horizontal, which Applicants declare to be $\pm 5^\circ$ from absolutely vertical or even more particularly $\pm 3^\circ$. To anyone skilled in describing directions and angles, inclined plane 14 of Smith would not be considered to be substantially vertical, with or without the criteria offered by Applicants in the prior sentence. Therefore, Smith and any of the other cited references, alone or in combination, fail to disclose, teach or suggest a top wire and a bottom wire being proximate to each other over a substantially vertical segment, as recited in claim 1.

An advantage of Applicants' invention is that a uniform dry content of the forming web is significantly increased utilizing Applicants' invention, since there is increased dewatering of the web on both sides while the web is traveling in a substantially vertical direction prior to reaching a turning element. For the foregoing reasons, Applicants submit that claim 1, and claims 2, 3 and 10 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

Claim 6 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith. However, claim 6 depends from claim 1, and claim 1 is in condition for allowance for the reasons

given above. Accordingly, Applicants submit that claim 6 is now in condition for allowance, which is hereby respectfully requested.

Claim 11 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of U.S. Patent No. 5,395,484 (Odell et al.). However, claim 11 depends from claim 1, and claim 1 is now in condition for allowance for the reasons given above. Accordingly, Applicants submit that claim 11 is now in condition for allowance, which is hereby respectfully requested.

Applicants thank the Examiner for the indication, on page 4 of the Office Action, that claims 4, 5 and 7-9 are allowed.

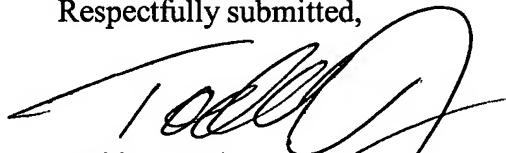
Claim 13 has been added to more completely protect Applicants valuable intellectual property rights in the present invention. This claim is supported by the disclosure and adds no new matter.

For the foregoing reasons, Applicants submit that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



Todd T. Taylor
Registration No. 36,945

Attorney for Applicant

TTT6/dc

TAYLOR & AUST, P.C.
142 S. Main Street
P.O. Box 560
Avilla, IN 46710
Telephone: 260-897-3400
Facsimile: 260-897-9300

Enc.: Return postcard

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: August 4, 2005.

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Date